

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2009-149-T - ORDER NO. 2009-687

OCTOBER 13, 2009

| | | |
|---|---|---------------------|
| IN RE: Application of MBM Moving Systems, LLC |) | ORDER GRANTING |
| for a Class E (Household Goods) Certificate |) | CLASS "E" MOTOR |
| of Public Convenience and Necessity for |) | CARRIER CERTIFICATE |
| Operation of Motor Vehicle Carrier |) | OF PUBLIC |
| |) | CONVENIENCE AND |
| |) | NECESSITY |

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of MBM Moving Systems, LLC ("MBM" or "Applicant") for a Class E (Household Goods) Certificate of Public Convenience and Necessity. MBM is a Greensboro, North Carolina company seeking statewide authority to move household goods in South Carolina. Pursuant to 26 S.C. Code Regs. 103-821(C)(3)(a), the Applicant published notice of filing in the *Greenville News* newspaper on April 13, 2009 and *The State* newspaper on April 15, 2009. No parties intervened, and a hearing on the Application was held on September 3, 2009 in the offices of the Commission.

The parties at the hearing included the Applicant's Vice President, Mathew T. Moran, represented by Jack Pringle, Esquire and the Office of Regulatory Staff ("ORS"), represented by Shealy Reibold, Esquire. George Parker, manager of the ORS Transportation Department, testified for ORS.

During the hearing, Moran testified to MBM's prior experience moving household goods and that he was aware of and intended to comply with the Commission's regulations concerning household goods movers. He also testified that MBM will join the South Carolina Tariff Bureau. Adding to Moran's testimony, MBM presented the shipper witness deposition of Arthur Turbyfill, who works for Carolina Relocation Group, a national relocation company administering relocation programs for its corporate client Progress Energy Carolinas, Inc. In the deposition, Turbyfill states his experience leads him to conclude that a demand exists for statewide movers in South Carolina, and Carolina Relocation Group intends to use MBM for Progress Energy's household goods moves within the State.

For ORS, Parker testified that he found MBM's application to be in order. Parker also stated that he performed an inspection and found MBM's equipment to be acceptable.

The Commission finds the Application to be in order. Additionally, we conclude that the Applicant has demonstrated that it is fit, willing, and able to operate as a household goods mover with statewide authority pursuant to S.C. Code Ann. § 58-23-330 (Supp. 2008) and 26 S.C. Code Ann. Regs. 103-133 (Supp. 2008). Furthermore, we find that the public convenience and necessity is not already being served by existing authorized service. Therefore, the Application of MBM Moving and Services, Inc. should be granted.

IT IS THEREFORE ORDERED:

1. The Application of MBM Moving and Services, Inc. for a Class E Certificate of Public Convenience and Necessity is approved for the Applicant to transport household goods with statewide authority.

2. MBM shall file with the Office of Regulatory Staff the proper insurance, safety rating, and other information required by S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 of the Commission's Rules and Regulations for Motor Carriers, as amended, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

3. Upon compliance with S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 26 (1976), as amended, a Certificate shall be issued by the Office of Regulatory Staff authorizing the motor carrier services granted herein.

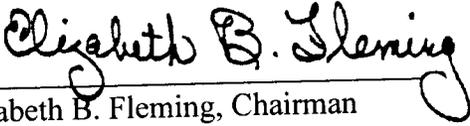
4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized by this Order shall not be provided.

5. Failure of the Applicant to either (1) complete the certification process by complying with the Office of Regulatory Staff requirements of causing to be filed with the Commission proof of appropriate insurance and an acceptable safety rating within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission

additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in the Order being revoked.

6. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)